

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PATRICK LONGLEY, : CIVIL ACTION NO.
Plaintiff : 04-12548 (MLW)

V. :

BUCHANAN MARINE LP, : JANUARY 12, 2006
Defendant :

MOTION TO DISMISS

Pursuant to Federal Rule of Civil Procedure 12(b), defendant Buchanan Marine, LP, hereby moves to dismiss this action for lack of personal jurisdiction and *forum non conveniens*. The motion should be granted because: (1) the District Court lacks personal jurisdiction over Buchanan Marine, LP because it is a Delaware limited partnership which did not transact business in the Commonwealth of Massachusetts and the alleged incident occurred on a New York vessel in the navigable waters of New York; and (2) Massachusetts is an improper venue for the trial of this matter. A Memorandum of Law with supporting exhibits are attached hereto and made a part hereof.

WHEREFORE, defendant respectfully requests that the above-referenced matter be dismissed.

RESPECTFULLY SUBMITTED FOR THE
DEFENDANT, BUCHANAN MARINE LP,
BY ITS ATTORNEY

By _____/s/

Kevin M. Roche, BBO 551190
HALLORAN & SAGE LLP
One Goodwin Square
225 Asylum Street
Hartford, CT 06103
(860) 522-6103
Email: roche@halloran-sage.com

CERTIFICATION

This is to certify that on this 12th day of January 2006, the foregoing was e-filed to:

Carolyn M. Latti, Esquire
David F. Anderson, Esquire
Latti & Anderson LLP
30-31 Union Wharf
Boston, MA 02109

/s/
Kevin M. Roche

778057_1.DOC